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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

BRUCE A. BARRON and KIERSTEN A. BARRON, Plaintiffs, v. **FAIRWAY COLLECTIONS, LLC,** Defendant.	**COMPLAINT FOR VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT**

The plaintiffs allege as follows:

1. The court has jurisdiction over the subject matter and parties herein. Plaintiffs resides in Spokane County Washington withing the territorial jurisdiction of this court. The defendant attempted to collect a debt from the plaintiffs by contacting them at their residence in Spokane thereby

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subjecting themselves to the jurisdiction of Washington state and federal courts. Jurisdiction of this Court is conferred by 15 U. S. C. § 1692k and 28 U.S.C. §§ 1331 and 1337.

2. Plaintiff is a "consumer" as defined by the FDCPA, 15 U.S.C. § 1692a(3).

3. Defendant attempting to collect a "debt" as defined by FDCPA, 15 USC § 1692a(5). The alleged debt was an obligation of the Plaintiff to pay money arising out of a transaction primarily for personal, family, or household purposes.

4. Defendant, Fairway Collections LLC (Fairway), is an “collection agency” as defined by RCW 19.16.100. Fairway is a business entity which does business in the state of Washington within the territorial jurisdiction of this court. Fairway engages in the collection of consumer debts which were originally due to another by using the phone and mail and other means.

5. In the course of collecting a consumer debt from the plaintiffs, Fairway violated the Federal Fair Debt Collection Practices Act 15 U.S.C. 1692 *et seq* in the following particulars: (1) Fairway commenced legal action in Cowlitz County. Plaintiffs do not reside in Cowlitz County and all documentation creating the debt was signed in Spokane County. (2)

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Fairway attempted to collect amounts not allowed by statute or contract.

6. The plaintiff suffered damages as a result of the violations of federal law. The plaintiff suffered from stress and manifested physical symptoms of stress including sleeplessness and nausea. Plaintiff incurred legal expenses defending the lawsuit in Cowlitz County.

WHEREFORE, the plaintiff prays to the court for the following releif:

1. This court enter a money judgment in favor of the Plaintiff Bruce A. Barron and against the Defendant for general damages for stress, aggravation and other emotional damages of $2,000.00;
2. This court enter a money judgment in favor of the Plaintiff Kiersten A. Barron and against the Defendant for general damages for stress, aggravation and other emotional damages of $2,000.00;
3. This court enter a money judgment in favor of the Plaintiffs and against the Defendant in the amount proven by the evidence for damages for out of pocket expenses estimated to be $5,000.00;
4. This court enter a money judgment in favor of the Plaintiff and against the Defendants jointly and severally in the amount of the attorney fees and

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costs of bringing this action;

5. This court enter a money judgment in favor of the Plaintiff Bruce A. Barron and against the Defendant in the amount of $1,000.00 for statutory damages under the Fair Debt Collection Practices Act.

6. This court enter a money judgment in favor of the Plaintiff Kiersten A. Barron and against the Defendant in the amount of $1,000.00 for statutory damages under the Fair Debt Collection Practices Act.

7. Any other relief which the court deems just and equitable.

Dated: *June 9, 2014*

/s/ Timothy W. Durkop

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